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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 12177742/PT/lis	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).	
International Application No. PCT/AU2003/001231	International Filing Date (day/month/year) 19 September 2003	Priority Date (day/month/year) 20 September 2002
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ A01K 97/06, 97/00		
Applicant MASSIMINO, Salvatore		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 6 sheet(s).

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 4 March 2004	Date of completion of the report 5 October 2004
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer L. DESECAR Telephone No. (02) 6283 2381

I. Basis of the report**1. With regard to the elements of the international application:***

- ☐ the international application as originally filed.
- ☒ the description, pages **1, 3, 5-10** as originally filed,
pages , filed with the demand,
pages **2, 2/1, 4**, received on **15 September 2004** with the letter of **14 September 2004**
- ☒ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages **11-13** received on **15 September 2004** with the letter of **14 September 2004**
- ☒ the drawings, pages **1/5-5/5** as originally filed,
pages , filed with the demand,
pages , received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**Statement**

Novelty (N)	Claims 1-21	YES
	Claims	NO
Inventive step (IS)	Claims 1-21	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-21	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

Claims 1-21 meet the criteria set out in the PCT Article 3(2)-(4), because none of the prior art documents teaches or fairly suggests a securing device for securing a line and/or fishing tackle to a fishing rod, the securing device comprising a body, a first aperture in the body adapted to engage a fishing rod and a second aperture in the body spaced from the first aperture and adapted to releasably engage a fishing line and/or an item of terminal tackle, wherein the body is adapted to provide compression of the second aperture as a result of expansion of the first aperture.

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be mounted on the vehicle and particularly on accessories such as bull bars, with a recessed open cylinder adapted to receive an end of a fishing rod. The rod then extends backwards and over the roof of the vehicle to be in position when the vehicle moves either along a made road such as a highway, a track or on a beach.

- 5 When fishing for highly mobile species such as salmon and tailor it is often necessary to change position frequently in order to locate and stay with a school of feeding fish. When a fisherman needs to enter the vehicle quickly and change position as well as exit and recommence fishing quickly, it is important to be able to retain a rigged up fishing rod which is easily accessible. When the terminal
- 10 tackle is fixed purely by resilience of the hook it is, as noted above, possible for the hook to dislodge leading to a pendulum like effect in a sinker on the line. This presents an extra level of risk on vehicles as a heavy lead sinker may damage a vehicle outer body and even crack a windscreen or head light.
- 15 It would be advantageous to provide a device for securely temporarily restraining a fishing leader or line, particularly if such a device is easy to operate.

SUMMARY OF THE INVENTION

- 20 Throughout this specification, unless the context requires otherwise, the word "comprise", or variations such as "comprises" or "comprising", will be understood to imply the inclusion of a stated element or integer or group of elements or integers but not the exclusion of any other element or integer or group of elements or integers.

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In one form, although it need not be the only or indeed the broadest form, the invention resides in a securing device for securing a line and/or fishing tackle to a fishing rod, the securing device comprising:

- a body;
- 30 a first aperture in the body adapted to engage a fishing rod; and
- a second aperture in the body spaced from the first aperture and adapted to releasably engage a fishing line and/or an item of terminal tackle;

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wherein the body is adapted to provide compression of the second aperture as a result of expansion of the first aperture.

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additionally, the seat may comprise one or more shoulders formed around the second bore.

In a preferred embodiment, the body is formed from a resiliently deformable material such as a polyvinyl chloride (PVC), polyethylene, polyurethane or other hard wearing material. Compression of the second aperture may include compression or narrowing of the second aperture slot. Expansion of the first aperture may include expansion or widening of the first aperture slot. The body may include a pivot zone to provide this function. The pivot zone may be formed by appropriate relative location of the first and second apertures.

In an alternative embodiment, the securing device may be formed with three or more apertures. At least two apertures may be adapted to receive different sized rods or sections of a rod. The body may be formed from material of a consistency for penetration by a fish hook and its retention until removed by force. The body may have one or more recesses or holes dimensioned to receive and hold a fish hook. The recesses or holes may be of varying sizes. The securing device may be of high visibility colour such as fluorescent yellow, blue or red.

In another aspect, the invention resides in a kit comprising two or more securing devices each formed for use on a rod of a different size to that of the other securing devices.

In a further aspect, the invention resides in a method of restraining a fishing leader or item of terminal tackle comprising the steps of:

placing a line securing device according to the above description on a fishing rod;

placing a terminal fishing leader and/or item of terminal tackle in the second aperture;

sliding the device in a direction of increasing rod shaft diameter and thereby

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CLAIMS:

1. A securing device for securing a line and/or fishing tackle to a fishing rod, the securing device comprising:

5 a body;

a first aperture in the body adapted to engage a fishing rod and a second aperture in the body spaced from the first aperture and adapted to releasably engage a fishing line and/or an item of terminal tackle;

10 wherein the body is adapted to provide compression of the second aperture as a result of expansion of the first aperture.

2. The securing device of claim wherein the body is formed with an upper surface, a lower surface and a side wall continuous with the upper and lower surfaces.

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3. The securing device of claim 2 wherein the body is substantially cylindrical in shape.

4. The securing device of claim 3 wherein the first aperture and second aperture are formed as invaginations of the side wall, the apertures providing through holes from the upper to the lower surface.

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5. The securing device of claim 4 wherein the first aperture is adapted to releasably engage the fishing rod and is formed as a slotted bore.

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6. The securing device of claim 5 wherein the bore is substantially cylindrical and is located adjacent an outer perimeter of the body.

7. The securing device of claim 6 wherein the edges of the slot are resiliently deformable to allow passage of a rod shaft into the aperture.

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8. The securing device of any proceeding claim wherein the second aperture is spaced from and diametrically opposite the first aperture.
9. The securing device of claim 8 wherein the second aperture is formed as a second bore interconnecting the upper and lower surfaces.
10. The securing device of claim 9 wherein the second aperture is slotted with the slot dimensioned to permit passage of a fishing leader or line.
11. The securing device of claim 10 wherein the second aperture is configured substantially cylindrically.
12. The securing device of claim 10 wherein the wall defining the second aperture has sloping side walls substantially in the form of a transected cone.
13. The securing device of claim 12 wherein the second aperture includes a seat.
14. The securing device of claim 13 wherein the seat comprises a plurality of ridges.
15. The securing device of claim 13 wherein the seat comprises one or more shoulders formed in the wall of the second aperture.
16. The securing device of claim 1 wherein the body is formed from polyvinyl chloride, polyethylene or polyurethane.
17. The securing device of claim 1 further comprising three or more apertures, wherein at least two apertures are adapted to receive different sized rods or sections of a rod and one aperture is adapted to releasably engage a fishing line and/or an item of terminal tackle.

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18. The securing device of any one of the preceding claims wherein the wall includes one or more recesses or holes dimensioned to receive the barb of a fish hook.

5 19. The securing device of any one of the preceding claims wherein the colour of the securing device is fluorescent yellow, blue or red or a combination thereof.

20. A kit comprising two or more securing devices formed according to claim 1,
each of the two or more securing devices formed for use on a rod of a different
10 size to that of each of the other securing devices.

21. A method of restraining a fishing leader or item of terminal tackle, said method comprising the steps of:

placing a first aperture of a line securing device in engagement with a
15 fishing rod, placing a terminal fishing leader and/or item of terminal tackle in a second aperture of the line securing device and sliding the securing device in a direction of increasing rod shaft diameter to thereby compress the second aperture into restraining contact with the fishing leader and/or item of terminal tackle.